# A DECLARATION Of the Kingdome of SCOTLAND, TO THE PARLIAMENT OF ENGLAND.

*TOGETHER,*

With the Anſwer of the Commiſſioners for the Kingdom of SCOTLAND, to both Houſes of Parliament upon the New Propoſitions of Peace, and the foure Bills to be ſent to His MAJESTY.

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# DECLARATION
of the Kingdom of
# SCOTLAND
TO THE
# PARLIAMENT
and
# ENGLAND.

WEE have with much patience for divers yeeres together in pursuance of the solemne League and Covenant, and Treaties betwixt the Kingdomes, used our best endeavours for settling Religion, and a happy peace. Propositions were first agreed upon in *Anno* 1644. with advice and consent of the Parliaments of both Kingdomes, presented to his Majesty at *Oxford*, by Commissioners of both, and treated upon at *Uxbridge*. In *Anno* 1645. Wee did earnestly and frequently presse the sending of those Propositions againe to his Majesty, wherein the Houses would not concurre with us, but on the contrary (after very long delay) they thought fit to make severall alterations therein, which were principally in matters that did concerne the neere Union of the Kingdomes: Yet were we so earnestly desirous of putting an end to the long continued distractions and troubles of these Kingdomes, as (waveing what might be conceived for the particular interest of the Kingdome of *Scotland*) wee did joyne with the Houses of Parliament in presenting Propositions to his Majesty at *Newcastle*, though as wee then declared, wee had just reason to be unsatisfied with divers things contained in those Propositions.

When it was agreed upon betwixt the Kingdomes, that the same Propositions should be againe presented to his Majesty at his comming to *Holdenby*, the performance thereof being delayed by the Houses for divers moneths; wee did patiently waite their leasure; yet upon the suddaine they did appoint a peremptory day for sending the Propositions to his Majesty, and gave order for their Commissioners in case wee were not precisely upon that day at *Hampton Court*, that they should present the Propositions to the King, alone by themselves, contrary to the Treaty betwixt the Kingdomes, which was so strange and unequall a way, as wee might have justly denyed our concurrence, had not

our love to peace prevailed with us, to joyne in that Message. But after all this, finding no successe in that way of sending Propositions to the King, and insisting upon his positive assent thereunto, without giving any reasons for the Justice of our desires, or hearing any Proposition from his Majesty, wee did in November last propose to the Honourable Houses, and with much earnestnesse, desire that there might be a Personall Treaty with his Majesty heere at London, it being in all probabillity the best meanes to obtaine a peace.

About the time of his Majesties withdrawing from *Hampton Court*, the Houses did communicate to us new Propositions, resolved on by them to be presented to his Majesty; after receipt whereof, wee did in our Paper of the 17 of November insist in our former desire for a Personall Treaty with his Majesty; but receiving no answere to that, nor to our Paper of the 5. and our positive answere being demanded to the new Propositions upon the 23 of November, Wee resolved once againe to desire an answere to our former Papers, a Personall Treaty being in our judgements, a readier way to compose all differences, then the sending of these new Propositions, wherein there are so great and essentiall differences from what was formerly agreed on by both Kingdomes. And to the end there might be no let or delay on our part, which might hinder the setling of a peace, wee desired a conference with a Committee of both Houses, concerning the expediency of a Personall Treaty with his Majesty, and the alterations made in the Propositions, that so according to the Treaty of the 29 of November, 1643. there might be with the advice, and consent of both Nations a speedy agreement in these things which are to be the foundation of the peace of both. To all which the Houses have beene pleased to returne no answere, however it is no small satisfaction to us that wee leave no meanes of Agreement unassayed, and that the retardment of the setling of the peace of the Kingdomes, cannot be charged on us. And lest our further silence in expectation of an answere, should be mistaken, wee have thought fit to represent our sense concerning a Personall Treaty, and the Propositions to the Houses in writing, which had our desires beene granted, wee did intend to have done

done by a Verball Conference.

There be ſome things which properly concerne the Kingdome of *England*, their Rights, Lawes, and Liberties; but there be other matters which in their owne nature as being common to both, or by Covenant or Treaty concerne both Kingdomes, wherein, unleſſe wee would forget our duty to God, to the Kings Majeſty, to our Native Kingdome, and to this Nation; our common conernment and intereſt cannot be denyed; for as *Scotland* was invited and engaged in this Warre, upon grounds and reaſons of common intereſt; ſo wee truſt it will not be offenſive, that in making of peace wee claime from the Houſes an improvement of the very ſame Principles, and a performance of the Treaties they have made with us, that the ſame meaſure of conjunction of intereſts be given to us, which was had of us, and promiſed to us, wherein the very Law of Nations, and rule of common Equity doth plead for us: Yet in the Application of this Rule, we ſhall not ſtretch our ſelves beyond our Lyne; The expreſſe conditions of our ſolemne League and Covenant, the duty of our Allegiance, and the Treaties and Declarations betweene the Kingdomes, which are ſo many ſtrong obligations, as all who have honour or conſcience muſt acknowledge ſhould be inviolably obſerved.

Having laid this as a moſt juſt and ſolide ground of our proceedings, wee ſhall firſt ſpeake of the beſt and moſt publique meanes to procure a good agreement with the King, for ſetling of Religion and a laſting peace, and next of the Propoſitions which are to be the foundation of the peace and ſafety of both Kingdomes. And it is ſtill our opinion and judgement that the moſt equall, faireſt, and juſt way to obtaine a well grounded peace; is, by a Perſonall Treaty with the King; and that his Majeſty for that end be invited to come to *London* with Honour, Freedome, and ſafety; for which wee offer the reaſons following.

1. The ſending of Propoſitions without a Treaty hath beene often eſſayed without ſucceſſe, and the new Propoſitions are leſſe to the advantage of the Crowne, then the former. Therefore wee have no reaſon to expect better ſatisfaction that way, then formerly we had.

2. The Kings removall from his Parliament is acknowledged by the Houſes in ſeverall Declarations, to be the chiefe cauſe of all the Warre, miſchiefe and calamities of the kingdomes: then his Majeſties preſence with his Parliament, muſt be the beſt, if not the onely remedy to remove our troubles.

3. In a perſonal Treaty the Commiſſioners of both kingdoms may give reaſons for the equity and expediency of our deſires, but without a Treaty or giving reaſons for aſſerting the lawfulneſſe and expediency of the Propoſitions to be preſented, they may be eſteemed Impoſitions.

4. The King may have ſome juſt deſires to move for the Crown and for himſelfe, as that hee may have his Revenues, and that hee may be reſtored to his Royall Government, which may bee done with greater honour and ſatisfaction to him by a perſonall Treaty, then otherwiſe.

5. A perſonall Treaty with the King, is the beſt way to beget a mutuall confidence betweene him and his Parliament, it is the beſt way to cleare his doubts and to remove all difficulties; and it is the abſolute beſt way for giving and receiving mutuall ſatisfaction.

6. We cannot expect that his Majeſtie will grant in *terminis*, whatſoever Propoſition ſhall bee ſent unto him, nor can every thing in the Propoſitions bee of that importance as that the not granting of it ought to hinder a peace. Neither will the Houſes of Parliament give full power to their Commiſſioners to make alterations in the Propoſitions, as they ſhall ſee cauſe upon debate. Wherefore a perſonall Treaty with his Majeſty at London, is the moſt probable and expeditious way to remove or reconcile all differences.

There is one common objection wherewith many are poſſeſſed and prejudiced againſt a perſonall Treaty with the King and his comming to London; *That his preſence may breed diviſion and continue our troubles; and that when his Majeſty deſired to come hither from Oxford with freedome and ſafety, it was thought unfit, and denyed by the Houſes and the Commiſſioners from Scotland:* But that argument now hath no force at all, for the caſe of affaires, the Kings condition and ours (which were given for reaſons in

that

that anſwer to his Majeſty) are quite altered from what they were then: Then the King had Armies in the Field, hee had Garriſons and ſtrong holds to returne to, now hee hath none of theſe, and his Majeſty offers a full ſecurity againſt all hoſtility or danger can bee expected from him, by granting to the Houſes the power of the Militia by ſea and land, during his Raigne, as is expreſſed in his Majeſties late Meſſage from Carisbrooke Caſtle; and for a further anſwer, We deſire the Houſes to remember their reply to his Majeſties Meſſage of the 11. of September, 1642. where after mention of their chiefe grievances they ſay; *All this notwithſtanding, As wee never gave your Majeſty any juſt cauſe of withdrawing your ſelfe from your great Counſell; ſo it hath ever beene, and ſhall be farre from us, to give any impediment to your returne, or to neglect any proper meanes of curing the diſtempers of the Kingdome, and cloſing the dangerous breaches betwixt your Majeſty and your Parliament, according to the great truſt which lyeth upon us. And if your Majeſty ſhall now be pleaſed to come backe to your Parliament without your forces, wee ſhall be ready to ſecure your Royall perſon, Crowne, and dignity, with our lives and fortunes, your preſence in this great Councell being the onely meanes of any Treaty betwixt your Majeſty and them with hope of ſucceſſe.* And if they were eſteemed enemies to the Parliament, and the peace of the Kingdomes, who adviſed the King to withdraw from his Parliament, what eſtimation will the World have of them, who after ſuch a Declaration, will not ſuffer him to returne to his Parliament when he offers to caſt himſelfe into their Armes? If ſo kinde an offer ſhall bee refuſed, and the King driven to deſpaire, it is to bee feared, theſe kingdomes ſhal be involved into greater difficulties then ever: And therefore wee doe hold, that the admitting the King to come to London with honour, freedome, and ſafety, and granting of a perſonall Treaty with his Majeſty upon ſuch Propoſitions as ſhall be agreed upon, by advice and conſent of both kingdomes, is the moſt probable and onely beſt meanes with hope of ſucceſſe, for ſetling of a well grounded peace.

Having ſpoken of the readieſt meanes to obtaine a juſt and laſting peace: Wee ſhall next fall upon the conſideration of the

Propositions, which are to be the foundation of our peace; and the most compendious and succinct way to a good agreement and unanimous resolution upon them, is in the first place to consider and remove our differences, which are chiefly in Religion, the interest of the Crowne, and in the Union and joynt concernment of the Kingdomes. We shall begin with that of Religion, which for the incomparable excellency thereof (although it bee amongst the last of these new Propositions) deserves the preference: It is the *Primum quærite*, the *Unum necessarium*, we ought to build the House of God, before our own; the law of piety and true policy doth require, that Religion which rendereth to God his due, have the precedency; and therefore (upon debate) before we went to the Treaty at *Uxbridge*, it was agreed betwixt the Houses & us, that the Propositions of Religion should be in the first place, and first treated and agreed upon, before any agreement upon any other Proposition: And his Majesty in his late Message from Carisbrooke Castle begins at Religion, as the best and chiefest foundation for peace: Wherefore if this changing of the former order and method of the Propositions, bee onely their error, to whom the reviewing of the Propositions was committed; and if the Houses have not falne away from their first zeale, we desire that it may be rectified, and the former method keeped: And so we come to the matter of the Propositions.

The materiall differences and alterations concerning Religion, may be branched into the error of omission and deficiency, and into that of commission and excesse: that which is left out is no lesse then the solemne League and Covenant: And shall the Covenant which is as solemne a Vow as Creatures on earth could make to God in Heaven, and the greatest tye betwixt men on earth, (to which the most high and dreadfull name of the Lord God Almighty was interposed) be offered up in a sacrifice and buryed in the ashes of oblivion? Shall our Covenant for the preservation and reformation of Religion, for the honour and happinesse of the King, and the peace and safety of the three kingdomes, and for the maintenance and defence of the Lawes and true publicke liberties of these Kingdomes, which was declared by both kingdomes to be a fit and most excellent meanes to acquire

quire the favoure of God towards both, and likewiſe to unite them, and by uniting to ſtrengthen them againſt the common enemies of the true reformed Religion, and the peace and proſperity of theſe Kingdomes: and which in all former Propoſitions was deſired to be eſtabliſhed, be now deleted as unworthy to take roome amongſt theſe new Propoſitions? Shall the Covenant which both Houſes did recommend to the Aſſembly of Divines, to make a Declaration to all ſorts of perſons to take it, as that which they judged not onely lawfull, but exceeding expedient and neceſſary for all that wiſh well to Religion, the King and Kingdome to joyne in, and to be a ſingular pledge of Gods gracious goodneſſe to all the three kingdomes: (We ſay) ſhall that Covenant be layd aſide? Shall our mutuall and ſolemne League and Covenant, ſubſcribed by the Parliaments of both kingdomes, by the Aſſembly of Divines, by the City of London, and which not onely they, but all Scotland and many thouſands in England and Ireland, with hands lifted up to the moſt high God, did ſweare, *That they ſhall not ſuffer themſelves directly or indirectly by whatſoever combination perſwaſion or terrours, to be divided and withdrawne from that bleſſed union and conjunction, whether to make defection to the contrary part, or to give themſelves to a deteſtable indifferency or neutrality in this cauſe which ſo much concerneth the glory of God, the good of the Kingdomes and the honour of the King, but ſhall all the dayes of their lives zealouſly and conſtantly continue therein againſt all oppoſition, and promote the ſame according to their power againſt all lets and impediments whatſoever, and that they ſhall doe all this as in the ſight of God.* Shall that Covenant (even with thoſe that tooke it) be already out of date, and not ſo much as remembred amongſt the Propoſitions of peace? Yea, it is not ſo much as mentioned in theſe new Propoſitions, except in the ſeventh Quallification of the fourteenth Propoſition, where it is onely made a hooke to catch ſome into the notion of Delinquency, but perhaps there it eſcaped the reviſers of the Propoſitions, who in all other places have exploded it.

It is anſwered by ſome, that by one of the Propoſitions, it is craved that an Act of Parliament be paſſed, declaring the Kings approbation of the making of the Treaties betweene the Kingdomes

domes of *Scotland* and *England*, in which treaties there is mention made of the Covenant, and therefore it is not necessary to desire a particular confirmation and establishment of the Covenant. To which it is briefely replyed: First, that there is no Proposition for passing any Act of Parliament to confirme the Treaties betweene the Kingdomes, as was desired in all former Propositions. But these words are purposely changed, and in place thereof, there is only desired an Act, declaring the Kings approbation of the making of the Treaties, which in effect is no more then an Act of indemnity for making the Treaties, and not an Act for confirmation and establishing of the Treaties themselves, and those things which are expressed and transacted in them.

Secondly, suppose there were an Act of Parliament passed for approbation of the Treaties betweene the Kingdomes in generall (which is not in these Propositions) yet such a generality would not be understood to be extended to the confirmation of the Covenant, unlesse the particular Articles of the Treaty and the Covenant were expressly inserted, because there was an expresse Proposition amongst the former. That an Act of Parliament be passed in both Kingdomes for confirming and taking of the Covenant, which being now left out of the new Propositions without mentioning the Covenant, cannot but bee interpreted as a receding from the Covenant; and the approbation and confirmation of the Treaties in generall (after deleting the Covenant out of the Propositions) would onely be understood of the remaining Articles of the Treaties. Therefore if there be not an intention to relinquish the Covenant, let us not be ashamed to avow it, and insert the confirming of it, as one of the chiefe and expresse desires of our Propositions, [ "Let us give testimony and beare witnesse to the truth and not deny it, remembring that whosoever "shall give testimony to Christ and his truth, by confessing him "before men, he will also confesse them before his Father which "is in heaven. And whosoever will deny him before men, them "will he deny before his Father which is in Heaven. *Matth.* 10. 32, 33. ] And seeing the Covenant was the soveraigne and only meanes of recovering these imbroyled bleeding kingdomes, whom their houses were at their lowest ebbe, and desired the Kingdome

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of Scotland, *to conſider with what difficulties, miſeries, and diſtractions, they were enforced dayly to wreſtle, even for the life and being both of Church and State*; Decl. delivered in *Scotland* July, 1643. Surely the diſpiſing, refuſing and caſting aſide that remedy would be the height of ingratitude, muſt render the diſeaſe much more deſperate, and turne our former mutuall confidence in mutuall diffidence; and therefore wee deſire that the Houſes upon better conſideration will ſtill adhere to the Covenant, and inſert it amongſt the Propoſitions.

And whereas the Kings averſneſſe from the Covenant, may be objected, and that the deſiring to have it confirmed may be a hinderance to peace; Wee anſwere, if the omitting of the Covenant in theſe Propoſitions doth really proceede from that principle, that the Houſes are deſired to pleaſe the King, and to remove all objections which may hinder a peace: Wee doe very much wonder, that they are ſo liberall in the matters of God, and ſo tenacious in what concernes themſelves in all differences betwixt his Majeſty and them in things Civill, which may farre better be diſpenced with. But to anſwere the ſtrength of the objection, wee ſay that the Covenant being for the preſervation and reformation of Religion, and for the true honour and happineſſe of the King and his Poſterity, and for the peace and ſafety of his Kingdomes, whatever be the difference of his Majeſties judgement, wee have juſt cauſe to inſiſt to crave his Royall Aſſent to it, and the Kings heart is in the hands of God, to turne it as the Rivers of waters, whither he pleaſeth; and although the King ſhould deny it, yet wee ought to performe our duty: and when his Majeſty ſhall be convinced that our intent was in entring into this Covenant, were and are pious and loyall, and that our Actions doe evidence that wee intend no injury to his Royall Perſon, to wrong his Government, nor to diminiſh his juſt power; wee hope God will incline his heart to give juſt ſatisfaction concerning the Covenant: and though his Majeſty ſhall not come to the full length of our deſires; yet wee muſt never depart from the Covenant, nor leave off by all juſt wayes to procure it, or deſiſt from endeavouring by all lawfull meanes to procure his Majeſties aſſent unto it. But wee deſire that wee may be rightly underſtood

in this, and not misconstrued; as if our zeale for the Covenant did abate or diminish at all from our Loyalty and duty to the King, (for the Covenant does not lessen or limite our Allegiance, as some would falsly slander it, and these who sincerely and loyally tooke it) Or that upon difference of his Majesties judgement, and not comming the full length of our desires in every thing, he should be kept in prison, or that Armies should be kept up (now when the war is ended) to burthen the Subjects, and force the King to grant what they please to demand. Wee were confident (when our Army returned to *Scotland*, and left no forces in this Kingdome to oppose the Parliament) that the Army heere should have beene instantly disbanded, and could never have expected that the Kings Majesty, to whom the Parliaments of both Kingdomes, were to make their addresses for a safe and well grounded peace, should have beene taken away by the Army against his will, and still kept in their power to be carryed whither they please or forced to fly for safety. If Scotland had apprehended that the least injury or violence would have beene committed against his Majesties Royall Person or Monarchicall Government: Nay if they had not received assurance from the Houses to the contrary, certainely all the threatnings, or allurements of the world, could never have perswaded them to have parted with the King, till all Armies had beene disbanded, and the peace of the Kingdomes setled.

It was our brotherly confidence in the Houses, (who are our fellow subjects) and the assurance wee had from them, that made us leave the King with them; and their care of him, and duty to him ought to be such, as neither his Majesty, nor wee have cause to repent it: And this wee could not but declare to assert the truth and vindicate the honour and reputation of our Nation; for our Loyalty hath ever beene, is, and shall be dearer to us then our lives and fortunes; and the candor and integrity of all our Actions, is a sufficient confutation of all the calumnies and aspersions which malice and envy can forge against us.

Wee finde also the Propositions omitted, *viz.* the Proposition for confirming the Ordinances concerning the calling and sitting of the Assembly of Divines, the Proposition for reformation

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of Religion in *England* and *Ireland* according to the Covenant, and the Propoſition for ſetling Unity and Uniformity in matters of Religion, betweene the Churches of God in both Kingdomes according to the Covenant; in place of all which, wee finde nothing but a meere ſhaddow of Presbyteriall Government, an externall forme of Diſcipline without life or power, and a liberty granted for all ſorts of ſervice and worſhip of God, and for the exerciſe of all ſuch religious duties and Ordinances, as every perſon ſhall pleaſe, and his owne erroneous conſcience ſhall declare unto him (for there is no other rule preſcribed) which opens a doore to Atheiſme, to all Religions, and to that which (by abuſe of the name) is called liberty of conſcience; being indeede liberty of Errour, ſcandall, Schiſme, Hereſie, diſhonouring of God, oppoſing the truth, hindering Reformation, and ſeducing others. So in place of Uniformity in Religion, which by Covenant both Kingdomes have ſworne to endeavour, there is heere deſired to be ſettled a vaſt diſformity of multiformity of Hereſies and Sects, which if the Lord in his mercy ſhall not prevent, may produce the ruine of Religion in both Kingdomes, which wee have juſt reaſon to feare; as for other reaſons, ſo when wee conſider the Declaration of the Houſes of Parl p. 492. *Collect of Declarations*, ſpeaking of the deſigne of the Popiſh and Prelatical Faction, to alter Religion in this Iſland, of whom they ſay. *That firſt they reſolved to impoſe a Popiſh Service Booke upon Scotland, for well they know the ſame fate attended both Kingdomes, and Religion could not be altered in the one without the other*: And in anſwere to the Scots Declaration pag. 601. *Whenſoever the deſigne to roote out Religion, ſhall be perfected in either Nation, it will eaſily be accompliſhed in the other, Religion being the band and foundation of the ſafety and happineſſe of both.* And in Auguſt 1643. the Engliſh Commiſſioners declare to the "Kingdome of Scotland, that they are commanded by their inſtructions to put their Bretheren of Scotland in minde, that the "Popiſh and Prelaticall Faction, that began with them about the "yeere 1638. and 1639. and then intended to make way to the "ruine of the Kingdome of England by theirs, have not abated "any part of their malice toward the Nation and Church of "Scotland, nor at all departed from their deſign of corrupting and

altering Religion through the whole Iſland, though they have inverted the manner of their proceeding, conceiving now that they have an eaſier way to deſtroy them, if they may firſt prevaile over the Parliament and Kingdome of England; In which reſpect it is the deſire of both Houſes, that the two Nations may be ſtrictly united, &c. [Engliſh Commiſſioners, Auguſt, 1643.] And in another paper it is declared, That *what corruptions take root in the Church and Kingdome of England, will quickly ſpread their venome and infection into the neighbour Church of Scotland.*

Wherefore we cannot but diſſent from this Propoſition, and according to the truſt repoſed in us, repreſent our juſt exceptions againſt it. And firſt of all, we thinke it very ſtrange, that the Houſes of Parliament, ſhould deſire an Act of Parliament to bee made for eſtabliſhing Presbyterian government, and in the very ſame propoſition deſire, that it may be enacted that none ſhall obey that Act of Parliament, but ſuch as ſhall pleaſe to doe it. Secondly, we obſerve, that however it is pretended, that Presbyteriã government is deſired to be eſtabliſhed as the government of the Church of England: Yet it is onely in effect a liberty granted to all ſuch, as of their owne accord will joyne in Presbyterian government, and ſo amounts to no more then a tolleration of it. Thirdly, that this tolleration of Presbyterian government is many wayes limited, as in the time for which it is to endure, being onely to the end of the next Seſſion of Parliament, after the end of this preſent Seſſion, which perhaps may be not above ſix monthes. And the Miniſters and Elders are appointed by Ordinance of Parliament to exclude from the Sacrament onely ſuch perſons, as the Houſes have thought fit, and no others, though it be againſt their conſciences ſo to doe. They are bounded with ſeverall Reſtrictions in their meetings and aſſemblies, and are not allowed the vſe and exerciſe of all the Ordinances appointed by the word of God, ſo as liberty of conſcience is denyed to them and granted to others: For, fourthly, an unlimited tolleration for the time of endurance, matter of worſhip, and exerciſe of all ordinances, is expreſly granted to all the Sectaries of the time, whether they be Anabaptiſts, Antinomians, Arminians, Familiſts, Eraſtians, Browniſts, Seperatiſts, Libertines, or Independents; yea it extends

tends to those Nullifidians, the Seekers, to the new sect of Shakers and diverse others, by all which, the very fonodation of Church and State is shaken and neere to be overthrowne. Fifthly, the tolleration he desired to be reestablished, is of that capacity and latitude, as it may admit of many vyle and grosse errors, which have beene condemned and cast out of the Church in former times, and may be revived in England, as if errors and heresies were of so precious a nature, that men should be incouraged by law to inquire after them and invited to maintaine them. Sixtly, this tolleration is not onely to the persons of these Sectaries and their families, but gives a full liberty to set up their professions in any fit and convenient places, that so scandals, heresies, schismes and new Religions, may grow in their kinde; and also multiply in the number of professors and disciples, as if there were not enough already. Seventhly, though it seeme that provision is made, that this indulgence shall not extend to the tolleration of Antitrinitarians, Arrians, and Antiscripturists; yet there is no more expressed, but that this indulgence shall extend to tollerate the printing, publishing or preaching such blasphemies and errors as they doe maintaine against God, the holy Trinity, and the Scriptures: They are not made lyable to any penalty, and suppose penalties were imposed upon them, for printing, publishing, or preaching those errors; yet they are by this proposition left to a full liberty to maintaine them in private, to reason and dispute that there is no God, that Christ is but an Impostor, that there is no such thing as the holy Ghost, that the Scriptures are but like other writings, &c. blaspheming at their pleasure, and seducing others to their opinions in secret. All which and much more, according to this Proposition, may not be questioned, and so in reality though not in pretext, they shall be tollerated as wel as others. Eightly, all profane and wicked persons are left at liberty by this tolleration, to doe what they please, for they are not obliged to be subject to any discipline or government; and so neither the duties of the first, nor second table of the Law of God, shall be observed, but all sorts of impiety and workes of darknesse, shall abound, and such as have the sincere worship of God in the Church, may have the most unlawfull and wicked

meetings elſe where under a profeſſion of religious exerciſes or Ordinances. Wee might adde more exceptions againſt this Propoſition, but theſe wee truſt may ſuffice to make any, that is but a little endued with the light of the Goſpel, and hath any love to the truth, for to deteſt and abhorre ſuch a tolleration.

And now wee deſire the Houſes of Parliament to remember their Remonſtrance of the State of the Kingdome of the 15 of December, 1642 where "they reſent it as a great injury that any ſhould infuſe into the people, That they "meane to leave every man to his owne judgement and fancy, for the ſervice and "worſhip of God, and to declare that it is far from their purpoſe and deſire, to "let looſe the golden reines of Diſcipline and Goverement in the Church to "leave private perſons or particular Congregations to take up what kinde of di-"vine ſervice they pleaſe: And hold it requiſite, that there ſhould be throughout "the whole Realme a conformity to that order which the Lawes enjoyne accor-"ding to the word of God: how conſonant this tolleration is to that Declara-tion wee leave to the Houſes of Parliament, and all wiſe men to conſider, and whether the danger of the true reformed Religion in theſe Kingdomes, be not greater now then before the taking of the Covenant 5 yea, or ſince Chriſtian Religion came firſt into this Iſland, when tolleration of all Religions (the name of Popery only excepted) is deſired by the Houſes of Parliament to be eſtabliſhed by Law: And the very principles and fundamentalls of faith, which under Prelacy, yea under Popery it ſelfe were generally received, as uncontroverted, are now by many Sectaries of this time, either oppugned or called in queſtion.

There are divers other paſſages in the Declarations and Ordinances of both Houſes to the ſame purpoſe, but here we ſhall only mention one or two in particular we would have the Houſes to call to minde, their Declaration and anſwere to the Lords of his Majeſties ſecret Counſell of Scotland, and the generall Aſſembly of the Church of that Kingdome in the yeere 1642 where beſide other "expreſſions, they uſe theſe words: We acknowledge it an act of love to us, and wiſdome for the good of both Churches, for which we are thankfull both to God, and them, that our Brethren of Scotland have beſtowed their ſerious thoughts and earneſt deſires for unity of Religion, that in all his Majeſties Dominions, there might be one confeſſion of faith, one Directory for worſhip, one publick Catechiſme, and one forme of Church government. And although it will hardly be obtained punctually and exactly, unleſſe ſome way might be found for a mutuall communication and conjunction of Counſell, and debate in framing that one forme; yet both intending the ſame end, proceeding by the ſame rule of Gods word, and guided by the ſame ſpirit: we hope by Gods aſſiſtance to be ſo directed, that we may caſt out whatſoever is offenſive to God, or inſtly diſpleaſing to any neighbour Nation, and ſo far agree with our Brethren of Scotland, and other reformed Churches to all ſubſtantiall parts of Doctrine, Worſhip,

Worshippe and Discipline, that both wee, and they may enjoy those advantages and conveniencies which are mentioned by them in this their Answere; In the more strict Union of both Kingdomes, more safe, easie, and comfortable Governement of his Majesty, and both to himself and people more free, communion in all holy exercises and duties of Worshippe; more constant, security of Religion against the bloody practises of Papists and deceitfull Errours of other Sectaries, and having there made knowne their resolution to take away the Governement by Bishops: They desire some godly and learned Divines of that Church to be sent to the Assembly of Divines heere, whereby an Uniformity in forme of Church governement may be obtained, and one confession of Faith, one Directory, and one Catechisme, may be setled in all the three Kingdomes: Which desire was afterwards renewed by their Commissioners sent to Scotland: And in the end the mutuall and joynt desires of both Kingdomes, were crowned with a Solemne League and Covenant: as for other ends; so for endeavouring the neerest conjunction and uniformity in all these; and for extirpation of Heresie and Schisme.

These foure yeeres past, the labours of many learned and godly Divines of both Kingdomes thereunto appoynted, have beene spent in framing a Directory for worshippe (which was long since approved and received in both Kingdomes) a Confession of Faith, forme of Church Government, and Cathechising: All which hath beene presented to both Houses, and some progresse was made therein towards the establishing of them, till of late they were layd aside.

The Houses not many moneths since, did appoint a solemne Fast and day of humiliation to be kept throughout the whole Kingdome, because of the growth of heresies, blasphemies, and schismes, the words of the Ordinance are these, "We the Lords and "Commons assembled in the Parliament of England, having en-"tred into a solemne Covenant, to endeavour sincerely, really and

constantly;

" constantly the reformation of Religion in doctrine, discipline,
" and worship, and the extirpation of Popery, superstition, heresy,
" schisme, prophaneness, and whatsoever shall be found contra-
" ry to sound doctrine and the power of godliness. And having
" found the presence of God wonderfully assisting us in this cause,
" especially since our sad ingagement, in pursuance of the sayde
" Covenant, have thought fit (lest we partake in other mens
" sins, and thereby be in danger to receive of their plagues) to
" set forth this our deepe sense of the great dishonour of God and
" perillous condition that this Kingdome is in, through the abho-
" minable blasphemies and damnable heresies vented and spread
" abroad therein, tending to the subversion of the Faith, contempt
" of the Ministry and ordinances of Jesus Christ: and as wee are
" resolved to imploy and improve the utmost of our power, that
" nothing be done or sayd against the truth, but for the truth, So
" we desire that both our selves and the whole Kingdome, may be
" deeply humbled before the Lord, for that great reproach and
" contempt, which hath been cast upon his name, and saving
" truths, and for that swift destruction, that we may justly feare
" will fall upon the immortall soules of such, who are or may be
" drawne away by giving heed to seducing spirits. In the hearty
" and tender compassion whereof, wee the said Lords and Com-
" mons doe order and ordaine, that Wednesday, being the tenth
" day of March next, be set apart for a day of publick humiliation
" for the growth and spreading of errors, heresies, and blasphe-
" mies, to be observed in all places within the kingdome of Eng-
" land, dominion of Wales, and towne of Barwick, and to seek
" God for his direction and assistance for the suppressing and pre-
" venting the same.] And are these the wayes and meanes that the Houses of Parliament, have thought upon for suppressing errors, heresies, and blasphemies, to desire that a tolleration of them may be established by a Law? Is the laying of a foundation to propagate heresie and schisme, the best way to extirpate the same? Are these the fruits and effects of their solemne fast and humiliation? Certainely God will not be mocked.

The

The Covenant doth also oblige us mutually to preserve the authority of the supreame Magistrat, the priviledges of Parliaments and firme Peace, and Union between the Kingdomes to all posterity.

And is it not visible that many of those Sectaries with their adherents and abbettors, doe by their pernicious doctrine and Actions, offer violence to the King, His Person and Authority, and against thy Rights and Priviledges of Parliaments. So as that there is not any one Article of the solemne League and Covenant, which is not in a high degree violated by them; And shall a tolleration be established for all such? The opposing of the covenant and Reformation of Religion, the dividing betwixt the King and his people, Or making any faction among the people, contrary to this League and Covenant, were formerly the characters of our enemies; And whoever maintaine and do these things (though they should assume to themselves the name of Saints) are still to be accounted incendiares, Malignants and evill Instruments. And we are obliged by Covenant with faithfulnesse to endeavour the discovery of all such, that they may be brought to publick tryall and receive condigne punishment. And though it be farre from our intentions, that pious and peaceable men should be troubled, because in every thing they cannot conforme themselves to *Presbyteriall* Government (for we did never impose such an indulgence to their persons as is agreeable to the word of God, may stand with the publique peace, and is not destructive to the Order and Government of the Church) yet we doe from our very soules abhorre such a generall and vast toleration as is expressed in the Proposition; And if the Houses (which God forbid) shall adheere thereunto, and insist that it may be established, We doe protest against it, as that which is expresly contrary to the word of God, utterly repugnant to the Solemne League and Covenant, destructive to reformation and Vniformity in Religion, altogether inconsistent with the Declarations and professions of the Houses, against the Treaty between the Kingdomes; directly opposite to the example and practise of all the reformed Churches, and as that which will unavoydably subvert all order and Government, and introduce a world of confusion. Our mindes are astonied, and our bowells are moved within us, when wee thinke of the bitter fruits and sad consequences of such a Toleration, What horrid blaspheming against God? what vile abhomination? what pernicious doctrine, to the subversion and perdition of soules! What disobedience to the Magistrate! What violation of dutyes betweene persons of neerest relation! What differences and divisions, in families and Congregations, it will bring forth! what bitter heart-burnings

ningis it will beget and perpetuat to posterity. Nay it is impossible for us to expresse what infinite distractions, disorder, and confusion, it will make both in Church and State, throughout all the three Kingdomes. And therefore we do obtest the Houses of Parliament by the solemne League and Covenant (which they have made in the presence of Almighty God, the searcher of all hearts, with a true intention to performe the same, as they shal answer at that great day, when the secrets of all hearts shall be disclosed) and by all the promises, professions, and Declarations, wherewith they induced the Kingdome of *Scotland*, to an engagement and conjuction with them in this cause, that they doe not establish such an impious toleration, as cannot but draw downe the judgement of God, and make a rent between the two Kingdomes, united by so many tyes and relations, which we desire to cherish and strengthen, and to continue to all posterity.

That next to Religion, wherein we differ in judgement from the Propositions, is, concerning the interest and power of the Crown. We are obliged by our Covenant, allegeance, and the duty of Subjects, not to diminish, but to support the Kings just power and greatnesse. The question then is, wherein his Royall authority and just power doth consist. And we affirme, and hope it cannot be denyed, that Regall power and authority is cheifly in making and enacting Lawes, and in defending and protecting of their Subjects which are of the very essence and being of all Kings, and the exercise of that power, are the cheife parts and duties of their Royall Office and function, and the Septer and sword are the badges of that power. Yet the new Preface compared with other parts of these Propositions, takes away the Kings negative voice, and cuts off all Regall power and right in the making of Lawes, contrary to the constant practise of this and all other Kingdomes, for the legislative power in some Monarchies is *Penes Principem solum*, and their Lawes are called *Principum placita*, which is the highest and most absolute kinde of Soveraignty, And in other Kingdomes and Monarchies, the power of making lawes is by compact between the Prince and people, or according to the constitution, practise, and usage of the severall Kingdomes. In the last the power of the King is least, but best regulated, where neither the King alone without his Parliament, nor the Parliament without the King can make lawes, and where nothing enacted by the one without the consent of the other, can have the force of a law. And although we will rather professe *Ignorantiam et facti et juris alieni*, then take upon us to judge of the Lawes of another Kingdome; yet it seemes to be very cleere and evident by the practise and usage of all times, by the Parliaments owne

Declara-

Declarations, and to be consonant to reason and Law, that the King without the Houses of Parliament, or the Houses of Parliament without the King cannot enact any lawes, but both joyntly: And therefore the lawes are sometimes called the Kings Lawes, sometimes the lawes of the Land, and Acts of Parliament. And the formes or Acts of Parliament, sometimes begin with the word *Concessimus*, or *statuit Rex*, And of latter times Lawes and Statutes begin, as being enacted by the King, with the consent and advice of the Lords and Commons. All which do import the Kings power and consent as to the making of Lawes: So that there can be no law made, and have the force of a Law without the King, which likewise is cleer by the expressions of the Kings Answers and *Le Roy saviera*. So as it appeares from the words of assent when Statutes are made, and from the words of dissent, that the Kings power in the making of Lawes, is one of the chiefest Jewells of the Crown, & an essential part of Soverainty, and if the King hadr power, nor consent in making of Laws, he would be lesse then a Subject.

Sometimes the Kings denyall had been better, then his assent to the desires of the Houses of Parliament, as when Kings have assented, the taking away of the reading of Scripture from the Laity, as *Hen.* the 8th. did, or to introduce Popery, as *Q. Mary*, And since neither Kings nor Parliaments have the judgement of infallibility it must certainly be the best, where Lawes are made with consent both of King and Parliament, which is the strongest bulwark of the peoples liberty, and supporter of the Kings Authority: And the King being King, and divers Nations this forme of constitution, where neither the King without his Parliament, nor the Parliament without the King can make lawes, is a good and sure security to preserve his Kingdomes in peace from injuring one another, and to protect the Subjects from injury amongst themselves.

The Houses of Parliament *Page* 710. of the exact collection of Remonstrances and Declarations, answering an argument against the Kings passing the bill of the Militia, make this reply, if we had said (as we did not) that the King had been bound to passe all bills that should be offered him by both houses of Parliament, without any limitation or qualification of reason or justice; yet such a supposition as this could not fal upon a parliament, much lesse that the King were obleiged to grant it. And pag. 727 wee did and doe say that the Soveraine power doth reside in the King and both houses of Parliament. And that his Majesties Negative voice, doth not import a liberty for His Majesty to deny any thing as he pleaseth, though never so requisite and necessary for the Kingdome: and yet we did not

nor do say, that such Bills as his Majesty is bound both in conscience and justice to passe, shal notwithstanding be Law without his consent, so far are wee from taking away his Negative voice, wherefore the power in making Lawes, even according to the Parliaments own declarations cannot be taken away from the King, and he required to assent to all such Lawes as the Houses shall think fit, according to the preface of these new Propositions, without a change of the constitution, and fundamentall government of the Kingdome.

Concerning the power of the Militia, wee doe desire, and shall be willing to agree, that it be so setled, as neither the King nor any other be able to disturbe or infringe the peace now to be agreed upon. And we thinke, that in his Message from *Careshrook Castle*, he hath offered that which should be very satisfactory. But that the King, his posterity, and the *Crown*, should for ever be divested of all power and right of the Militia, is different from our judgments: for if the *Crown* have no power of the Militia, how can they be able to resist their Enemies, and the Enemies of the Kingdome, protect their subjects, or keep freindship or correspondence with their allyes? All Kings by the Royall Office and Oath of *Coronation*, are obliged to protect their Lawes and Subjects; it were strange then to seclude the Crowne for ever, from the power of doing that, which by the oath of coronation they are obliged to performe, and the obedience whereunto falleth within the oath of alleadgeance, and certainely if the King and his posterity shall have no power in making *Lawes*, nor in the Militia, it roots up the strongest foundation of honour and safety which the *Crown* affords, and will be interpreted in the eyes of the World, to be a wresting of the Scepter and sword out of their hands. It is very farre from our desires, that Monarchy should be at the absolute bight of an arbitrary and Tirrannicall power; neither desire wee just Monarchiall power to be wronged and rendered contemtible: But to have such a goolden Mediocrity, as they may be able to protect their Subjects and oppose their enemies according to the fundamentall lawes, and ancient constitution of the Kingdome.

Before the last propositions were sent to his Majesty at *Newcastle* both in verbal debates and in our writetings wee did shew; that wee were unsatisfied, concerning severall particulars contained in those Propositions; particularly, when we did consent, that the power & exercises of the Militia, should be setled in the Houses of *Parl.* for a time, wedid it with this provision, that it were understod to be without prejudice to the right & interest of the Crown: and that the King and his posterity, be not totally excluded and rendred in capable to protect

tect the subject, and oppose the Enemies of the Kingdoms. And further, when we gave way to the sending of those Propositions, wee did declare it to be our judgment, that divers things craved therein were such, as peace or warre ought not to depend upon the grant or refusall of them. Wee ever did, and must still hold it as a good rule in the making of a peace, that the more moderate and reasonable our desires be, we may expect the firmer peace, wherefore as in the difference between the King and the Parliament, wee thinke it very unjust to exclude the King from his just power in the Militia: So when wee look upon the Liberty of the subject, we think neither King nor Parliament, ought to keepe up an army in the feilds, when the War is ended, to the vast expence, and utter impoverishing of the people; the trained bands of the Kingdome (which may be made use of with little charge) and the forces which may be kept in some cheife Garisons, being sufficient to suppresse any commotion or disturbance that is likely to arrise, upon occasion of the late troubles. And we conceive an army should be kept up only, in the case of a powerful insurrection within the Kingdome, or of a forraine invation from without: for otherwise, to maintaine a parpetuall army in the bowels of the Kingdome, upon the expense of the subject, when there is no enemy to fight with, is but to inslave the King and Kingdome under a Military bondage.

When our Army returned into *Scotland*, it was confidently expected that the houses should have speedily disbanded their army (the War being at an end, & no visible enemy in the Kingdome) and Proceded to the setling of a peace here, and to the effectuall releife of *Ireland*. But now after a full yeares delay almost, Wee do not find amongst all these Propositions any thing concerning the disbanding of Armies, or sending releife to that distressed Kingdome, but upon the contrary, there is only provision made for keeping up armies, and raising moneyes for their maintenance. We must therefore declare to the Houses that it is our judgement and earnest desire that there may be a Proposition for disbanding Armies in both Kingdoms, Armies were raised for the defence of Religion, the Kings person and authority, the priviledges of Parliament, and the liberty of the Subject. And when they are no more usefull for these ends and the houses may consult freely and act securely without any hostile opposition, It is high time to disband them, that the Lawes of the Kingdome may take place. Some of our neighbour Nations are necessitated to keep up Armies, because they have enemies that lie contignous, and adjoyning to their Borders: but the Sea is our Bulwark. And if

we ſtudy Amity and peace amongſt our ſelves, and entertaine the mild on between the Kingdomes, under his Majeſtyes Government, we need not feare forraigne enemies.

It is a cuſtome in other Nations to keep up Armies, to levy monyes by force: but theſe are free Kingdomes, and when they have bin fighting for liberty and freedome, we truſt that it is not intended that War ſhould be made a trade, or that their Warres ſhall end in ſlavery. The continuance of Armies will certainly encreaſe factions, and diviſions to the great weakening of the Kingdomes, and will in the end expoſe us as a prey to our enemies. Neither is it poſſible ſo long as they are kept up, that there can be a ſettled peace.

The charge of entertaining Armies is needleſſe where there is no enemy, and extreamely greivous to the people, who before were willing to beare it, when they ſaw a neceſſity for it. And now after ſo great ſufferings, and vaſt expence of Treaſure to Souldiers for many yeares together, the burthen is become inſupportable. For theſe and many other reaſons which we could add, Wee ſhould it moſt neceſſary, that as there is a *Propoſition* for payment of the arrears of the *Army*, ſo alſo there be an addition to it for their disbanding.

Touching the conferring Titles of honour, we deſire the King, who is the fountaine of honour may not be deprived of that which in all ages and Kingdomes, have been held and eſteemed a floure of the Crowne, and wherewith Kings do uſually recompence the vertue and merits of ſuch as do memorable ſervices to the Crowne or Kingdome. And as to the diſpoſing of the great Offices of State, and nameing of privy councelors, We conceive his Majeſties offer in his late Meſſage of the 16 of *Nov.* to be ſo reaſonable, as may give ſatisfaction to the houſes.

That which we are to ſpeak of next in order, is the union and joynt intereſt of the Kingdomes, where we wiſh we had not juſt cauſe to expoſtulate, that the houſes have omitted the covenant in theſe *Propoſitions*, rejected all that concerns Vnity and uniformity in Religion, and have altered the former *Propoſition* for confirmation of the Treaties, and deſired now only an approbation of the making of them, which amounts to no more then an act of indempnity. They have alſo in that *Propoſition* omitted theſe words, with all other Ordinances and proceedings paſt betwixt the two Kingdomes, and whereunto they are obliged by the aforeſaid Treaties, which words were incerted in the former Propoſitions after ſerious debate. And therefore if the Houſes intend to make good and performe all Ordinances paſt betwixt the Kindomes, according to their manifold profeſſions: We deſire that this *Propoſition* may remaine as before without any alteration or omiſſ-

on. The Propositon desiring his Majesties consent to what the two Kingdomes shall agree upon in pursuance of the Articles of the large Treaty, which are not yet finished, is omitted. The joynt Declaration of both Kingdomes is likewise omitted. And generally throughout these Propositions, all expressions of joynt interest are left out. And whereas formerly the Propositions of both Kingdomes, were drawne up together in one Body: Now, for separating the interest of the Kingdomes, the Propositions for *England* are drawn up apart. Which new way, when we did observe, and what essentiall alterations, ommissions, and addicions were made in the matter of the propositions: We desired a conference for removing all differences, and that we might the more speedily attaine to an agreement, but it was not granted. However, we have herein discharged our duty, that we use all meanes to prevent differences: And that we for our part study to observe the Treaty betwixt the Kingdoms, where it is expresly provided in the 8th. Article, *That no Cessation, nor any pacification or agreement for peace whatsoever shall be made by either Kingdome, or the Armies of either Kingdome, without the mutuall advice and consent of both Kingdomes, or their Committees in that behalfe appointed*: And here we think it not amisse to remember the Houses of Parliament of their expressions in a Declaration, to the Lords States Generall of the united provinces of the Low Countries: shewing, why they did not admit of the Mediation of the Dutch Ambassadors betweene the King & Parlin the way & manner it was desired, without application to the Kingdom of *Scotl*. The words of the Declaration are. *That both the Kingdomes are mutually ingaged in the Propositions and Treaty thereupon, And that neither could admit of their mediation, without consent of the other, because the two Kingdomes were united by a solemne League and Covenant made to Almighty God, and by League each to other, as one intire body to prosecute this cause, and that in pursuance thereof, Propositions for a safe and well-grounded peace, were then preparing in a joynt way, by the Parliaments of both Kingdomes.*

And whereas the Lords, Ambassadours, had propounded and offered from the King, the calling of a Nationall Synod, to correct and redresse the Government of the Church by Bishops, One of the answers which was given thereunto in the said Declaration was, that not onely the Kingdome of *Scotland*, and the Members of both Houses of Parliament, but also many thousands of others his Majesties Subjects of *England* and *Irel* stand bound by their late Nationall Covenant, to endeavour the extirpation of the Church Government by

Bishops

Bishops, intended in the paper of the Dutch Ambassadors, both in *England* and *Ireland*, and to hinder the seting of it up again in the Kingdome of *Scotland*.) All which being duely considered, we are extreamly sorry that the Houses of Parliament, should not only have given way, but countenanced the *Army* in their medling with the setling of the peace of the Kingdome, And authorized Commissioners to treat with them upon Propositions of Peace (which wee take to be the reason, that these propositions are in so many things agreeable to the Proposalls of the Army, especially in matters of religion:) And without all question, It had beene more agreeable to the Treaty betwixt the Kingdomes, and to former professions: and proceedings, that the Propositions of *Peace* had been framed and agreed upon, with advice and consent of both Kingdomes. We have knowne the houses of Parliament formerly look upon it as an offence of a high nature, for any other than themselves to meddle in the matters of peace, Especially the Commanders and Officers of the Army (though in prime place, and of great and emminent fidelity) making it only proper for them to be exercised in matters of Warre, according as they should receive direction from the houses, and much more would the houses have been offended, if any Officers of their *Army* should have taken upon them to offer Proposals to the King for setling a peace, without authority from the houses, as we are informed, some Officers of Sir *Thomas Fairfax* army have done. If the houses of Parliament had according to our earnest desire the 3d. of *March* 1644. when they Moddelled their army, made choice of such Officers as were known to be zealous of the reformation of Religion, and of that Vniformity, which both Kingdomes are obliged to promote and maintaine. *And* if they had also renewed their Declaration made the 20. of *September* 1643. *T*hat they could not confide in such Persons, to have, or execute place, and authority, in the armyes raised by them Who did not approve and consent to the *C*ovenant; Or if their Ordinance 15. Feb, 1644. (which appointeth all officers to be imployed in *Sr. Tho. Fairfaxes* *A*rmy to take the Nationall League and *C*ovenant of both Kingdomes within twentie dayes after they were approved by the houses) had beene really put in execution: We are very confident, it would have prevented a world of inconveniences and evills which have ensued upon the neglect thereof We shall not further insist on this Subject, Neither shall we enlarge ourselves upon the proceedings of the Army; but we must alwayes put the houses of Parliament in minde, that our strength is in a good agreement with the King, and a firm Union betwixt the Kingdomes.

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There is left out in the Propoſition, the Propoſition concerning the City of *London*, whereby they were to have the Government of their owne *Militia* and the Tower; and aſſurance, that their Forces ſhall not be compelled to goe out of the City for Military ſervice, without their own conſent: An Act of Parliament confirming their Charters, Cuſtomes, Liberties, &c. And an Act, that all the by-Lawes and Ordinances of Common-Councell made, or to be made, ſhould be as effectuall to all intents and purpoſes, as if they were Enacted by authority of Parliament; with liberty alſo for them to repeale theſe Ordinances as they ſhall ſee cauſe. Theſe things were formerly deſired in the Propoſitions in behalfe of the City, becauſe of their affection, forwardneſſe, and zeale in the common Cauſe of both Kingdomes. And we conceive our ſelves in duty obliged to deſire, that this Propoſition may not be omitted, but preſented to his Majeſty for his aſſent.

Concerning the Propoſitions for taking away the Court of Wards and Forreſt lands from his Majeſty, it cannot be expected, when the Houſes of Parliament ſhall take into their conſideration, the glory and greatneſſe wherein their Kings have lived, that they will ever take away, or diminiſh any part of that Patrimony and Revenue, which is neceſſary for ſupporting the dignity of their Royall place, without giving a full recompence for the ſame.

Touching the Propoſition for ſale and diſpoſall of the Lands of Deanes and Chapters, &c. as the Houſes ſhall thinke fit; we have onely this to ſay, That we have alwayes heard theſe Lands were reſerved by the Houſes for maintenance of the Miniſtry: and if they ſhould be otherwiſe diſpoſed of, it will prove a great diſcouragement to faithfull Paſtors; make their ſubſiſtence to depend upon the benevolence and charity of their hearers; and give occaſion to the people (where Miniſters are wanting for lack of maintenance) to follow after Sectaries and Tub-preachers.

We deſire to ſee the Ordinances for Indempnity mentioned in the Propoſitions.

And now to conclude, we ſhall here ſet downe moſt of our deſires, which are, That there may be a perſonall Treaty with his Majeſty at *London*. That the Preface may be the ſame as in the former Propoſitions. That the honourable Houſes, according to the ſolemne Vowes, Treaties, Declarations, and Engagements between the two Kingdomes, would after ſo very long delay, eſtabliſh the ſolemne League and Covenant: and that his Majeſties Royall aſſent be deſired for confirming the ſame by Act of Parliament in both Kingdomes.

That the ſettling Reformation of, and Uniformity in Religion, according to the Covenant, in *England* and *Ireland*, be likewiſe deſired in theſe new Propoſitions. And in particular, that the Confeſſion of Faith, Directory of Worſhip, Forme of Church-government, and Catechiſing, agreed upon by the Aſſembly of Divines, and preſented to the Houſes, be eſtabliſhed.

That by Act of Parliament, effectuall courſe be taken for ſuppreſſing Blaſphemy, Hereſie, Schiſme, and all ſuch ſcandalous Doctrines and Practiſes, as are contrary to the light of Nature, or to the knowne Principles of Chriſtianity, (whether concerning Faith, Worſhip, or Converſation) or to the power of godlines; or which may be deſtructive to Order and Government, or to the peace of the Church or Kingdome.

That the Ordinances concerning the calling and ſitting of the Aſſembly of Divines, be deſired to be confirmed by Act of Parliament, as in the former Propoſitions.

That the Propoſition for confirmation of the Treaties betwixt the Kingdomes, and all Ordinances and proceedings betwixt them, be expreſſed, as in the former Propoſitions. And that the Treaty for returne of the Scots Army, of the date the 23. of *December*, 1646. be inſerted amongſt the reſt.

That his Majeſties aſſent be deſired to what the two Kingdomes ſhall agree upon, in proſecution of the Articles of the large Treaty, which are not yet finiſhed; and that all other things concerning joynt-intereſt, or the Kingdome of *Scotland* in particuler, which are omitted, be inſerted and expreſſed as in the former Propoſitions.

That Armies in both Kingdoms, which were raiſed for Preſervation and Reformation of Religion, and for defence of the Kings Perſon, and ſafety of the Kingdomes; be not kept up to hinder Reformation of Religion, and the King from his Government, and to be a burthen to the Subjects, ſince the War is ended; but that they may have due ſatisfaction of their Arreares, and be disbanded; without which, there can be no reall nor laſting Peace: that all Armies being disbanded here, ſpeedy reliefe may be ſent to *Ireland*.

That an Act of Oblivion, which is the bond of Peace, be agreed upon to be paſt in the Parliaments of both Kingdomes.

That the King be reſtored to his Rights and Revenues; and particularly, that the Crowne be not excluded from the power of making Lawes, which is as eſſential to Kings as to govern by Law, and ſway the Scepter; nor from the power of the *Militia*, without which, they can neither protect their Subjects, oppoſe their

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and the Kingdoms enemies, nor keep friendſhip with their Allyes.

That there be a concluſion added to the Propoſitions, promiſing our reall endeavours (as was done in the Propoſitions treated upon at *Uxbridge*) that his Majeſty may live in the ſplendor and glory of his Royall Progenitors, as beſeemeth his Royall place and dignity, that ſo all differences and troubles may end in mutuall confidence and rejoycing; the King may enjoy the comfort of his Royal Conſort and Children, with other contentments; and we, after ſo great Diſtractions, and long continued Sufferings, may reap the bleſſed fruits of Truth and Peace under his Majeſties Government.

And as it is very far from our thoughts and intentions, in expreſſing our differences upon the Propoſitions, to provoke or give offence; ſo doe we truſt, that our freedome in diſcharge of the truſt committed to us, proceeding from our Zeal to Religion, Loyalty to the King, and love to Peace, ſhall receive a candid interpretation from the honourable Houſes. And that they will in their wiſdom not ſlight the deſires of a Kingdome, who in the time of *Englands* greateſt danger, eſteem'd no hazard too hard for their aſſiſtance, and are now ſeeking nothing but the performance of the mutuall Obligements, Declarations, and Treaties between the two Kingdomes; and to prevent the dangers which may enſue upon the violation and breach of ſo ſolemne Engagements.

The Houſes of Parliament have frequently profeſſed, that the chiefe end of their Wars, was the Reformation and Eſtabliſhment of Religion according to the Covenant. And they have often promiſed and declared to the King, and to all the world (not without deep atteſtations of the name of God) that no trouble or ſucceſſe, ſhould ever make them wrong, or diminiſh the power of the Crown; which were the chiefe Motives and Arguments that induced *Scotland* to engage with them in this War. Let therefore that be given to God which is Gods, and to *Ceſar* what is *Ceſars*; whereby it may be evident, that you are not unmindfull of the ſolemne Vowes you made to God in the time of your diſtreſſe, for Reformation of Religion: and it may alſo really appear, that the advantages and power which ſucceſſe hath put into your hands, hath not leſſened your Loyalty to the King. And according to our many profeſſions and neer relations, let us really and cordially cheriſh and ſtrengthen the Union between the two Kingdoms under his Majeſty, by all the pledges of reciprocall kindneſſe, that ſo Religion and Righteouſneſſe may flouriſh; and both Kingdomes languiſhing under the heavy preſſures and calamities of an unnaturall War, may live in Peace and Penty.

WEe have perused the Instructions communicated unto us on Tuesday in the afternoon; wherein the Commissioners of both Houses appointed to goe to the King are commanded to present unto his Majestie foure Bils concerning the setling the *Militia* of England and Ireland in both Houses of Parliament: An Act for justifying the proceedings of Parliament in the late war, and declaring all Oaths, Declarations, Proclamations, and other proceedings against the Parliament to be void: Concerning Peeres lately made or hereafter to be made; and a new Proposition for the adjournment of both Houses. To which Bils they are commanded to desire his Majesties assent by his Letters Patents under the great Seale of England, and not otherwise. And after his Majesties assent to these Bils, the Houses of Parliament will send a Committee of both Houses to treat with his Majestie in the Isle of Wight upon the remainder of the new Propositions. To all which we answer, That although there be nothing which we more passionately desire then a happy peace and good agreement with the King, yet we cannot agree to this way of desiring his Majesties assent to those foure Bils before any treatie with his Majestie upon other Propositions: It being in our judgement, neither for the good of Religion, the King nor Kingdomes. And first concerning Religion we say, That in January 1645. it was agreed on betwixt the Houses of Parliament and us before the treatie at *Uxbridge*, *That the Propositions concerning Religion, the Militia and Ireland, shall be treated upon* alternis vicibus, *beginning first with the Proposition of Religion, and that as it is of most excellencie, so it is to be sought after and finally agreed upon in the first place before any finall agreement be made upon any of the other Propositions.* We are very sure the Houses had far greater reason at that time to look to their security, and to desire the Proposition for settling the *Militia* to be first agreed on, when the King had an Army in the field, then now when they have a strong Army, and he hath none at all: And upon th' other part, the danger to Religion is now much greater then at any time before, when men in Armes are demanding a Toleration of all sorts of Religions (Popery excepted.) And if first of all it should be agreed on, that the continuance of such an Army shall be settled by law, we desire it may be equally considered, what good can be expected from a treatie upon Religion, or what hope shall remaine of setling it, according to the Covenant? Wherefore we cannot consent to the sending of a-

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ny Propoſitions or Bils to be a ſecurity for ſettling peace without truth, which hath been acknowledged both by his Majeſtie and the Houſes in all former Treaties or Meſſages to be the beſt and moſt ſolid foundation of a laſting peace. And we muſt ſtill preſſe, that there may be a preference of thoſe deſires which are for ſettling Religion and the government of the Church, the want whereof is the cauſe of the Sects and Hereſies which doe multiply and increaſe daily, to the diſturbance of all order and peace both in Church and State.

As this way is not for the good of Religion, ſo it cannot in reaſon be conceived, that it ſhall be acceptable to the King: for how can it be expected that he will grant thoſe things for a perſonall treatie (whereof the iſſue is uncertaine) which he hath ever hitherto denied even to obtaine a peace? (eſpecially when after all his Majeſties earneſt deſires, he cannot be admitted to come to London, nor upon any termes to have a treatie here, in reſpect the Houſes conceive that the Kings preſence with them at this time ſtands not with the ſafety and ſecurity of the Parliament & Kingdom: But that the Kings aſſent to the foure Bils muſt be by commiſſion, and thereafter a treaty upon the reſt of the Propoſitions at the Iſle of Wight) or can it be looked for, that he will give the whole and ſole power of the *Militia* from himſelf and his poſterity to the Houſes for their ſecurity, and to be diſpoſed of as they ſhall think fit, and have no ſecurity at all to himſelfe, nor any aſſurance that he ſhall be reſtored to his rights and government? It is much more probable, that he will think that he hath already offered ſufficient ſecurity in his late Meſſage from *Carresbrook* Caſtle of the 16th. of November, wherein he is content that all power of the *Militia* be ſettled in the Houſes of Parliament during his Raigne.

Neither is this way in our apprehenſion for the good and ſafety of the Kingdomes, that an Army, holding ſuch principles as they doe concerning Religion, and in relation to the ſettling the government and peace of the Kingdomes, and which (without any knowne authority from the Parliament) hath increaſed their number to neere the double of what they are allowed by order of Parliament; (And in their late Repreſentation do acknowledge their ſupernumeraries to be about twenty thouſand) that ſuch an Army (we ſay) ſhall be perpetually eſtabliſhed, when there are no Forces to oppoſe the Parliament, and that the ſubjects ſhall be obliged by law for ever to ſubmit to a Military power, and pay what monies

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ſhall be demanded for their maintenance. Whatſoever it may ſeem to others to be, in our ſenſe it doth neither agree with the rules of polici e nor ſafetie.

We did deſire to ſee the four Bils to be preſented to his Majeſty (ſo much the rather, that from the title of the Bill for the *Militia*, we perceive that it doth extend to the ſetling and maintaning of Forces in the towne of *Berwicke*, contrary to the large Treaty betwixt the Kingdomes.) And we did repreſent, that thoſe Bils being aſſented unto by the King, would be a realll ſecurity, and the making an agreement for Peace; which according to the Treaty betwixt the Kingdomes, cannot be done without the mutuall advice and conſent of both. To which the Houſes did yeſterday return as this anſwer, That the Priviledges, Right and Cuſtome of the Kingdom and Parliament of *England* is, that Bils paſſed both Houſes to be preſented to the King for his Royall aſſent, are not to be communicated to any other whoſoever, either in relation to matter or form, before his anſwer thereunto given; and that there is nothing contained in any Article of Treaty betwixt the Kingdomes to the contrary. Whereunto we made this reply, That the Bils mentioned in the 11. *Sect.* of the propoſitions of Peace, preſented to his Majeſty at *Oxford* in *Anno* 1644. were communicated unto us before they were ſent to the King; and upon peruſall of them, we did deſire that nothing might be in thoſe Bils contrary to the Covenant, or the Reformation and Uniformity to be ſetled; upon conſideration whereof the Houſe of Commons gave us this anſwer, That the Reformation & Uniformity deſired is already provided: for in one of the Propoſitions, to which nothing contained in thoſe Bils could be any prejudice, but ſhould hereafter be regulated, as the ſaid Reformation & Uniformitie ſhall be thought fit to be ſetled. Alſo the Bil for aboliſhing Epiſcopacie was communicated unto us, and afterwards debated upon by his Majeſties Commiſſioners & the Commiſſioners of both Kingdoms at *Uxbridge*. We thought fit to give theſe inſtances, to ſhew, that it hath not alwaies been the cuſtome of both Houſes not to communicate their Bils before his Majeſties anſwer were given thereunto. Yet it is no wiſe our deſire to meddle with the framing of your Lawes, or adviſing the form of your Bils, we ſhall ever be tender of any juſt priviledge of Parliament. But that it ſhould be ſaid, that there is nothing contained in any Article of treaty between the two Kingdoms, which requires the communication of the matter of any Bils, is to us very ſtrange. It is agreed upon betwixt

twixt the Kingdomes, that no ceſſation nor any pacification or agreement for peace whatſoever ſhall be made by either Kingdome, or the Armies of either Kingdome without the mutuall advice and conſent of both Kingdomes. Suppoſe the Houſes of Parliament ſhould turn all their deſires for peace into Bils, and ſhould ſay that thoſe Bils cannot be communicated to the Kingdome of Scotland either in relation to matter or forme, we deſire to know, or let any rationall man judge, whether this were not an eluding and cleare violation of the Treatie. Neither can it in this caſe be a ſatisfactorie anſwer, that the Houſes of Parliament do only ſend foure of the Propoſitions in Bils to his Majeſtie, for every one of the Propoſitions is a Propoſition for peace, and an agreement made upon any one of them, is an agreement for peace. And which is much more, there are none of the Propoſitions which in their owne nature doe ſo immediately concerne the ſetling of a peace, as theſe foure Propoſitions; and what can be called an agreement for peace, if this be not? When the King by his aſſent ſhall juſtifie the proceedings of the Parliament in the late war, and make all Oaths, Declarations, Proclamations, and other proceedings againſt it, to be void, when by Act of Parliament he ſhall ſettle the power of all Forces by ſea and land into the Houſes of Parliament, and alſo to raiſe monies for their maintenance, when he ſhall conſent, that all Peeres made, or hereafter to be made ſhall not ſit or vote in Parliament without conſent of both Houſes. And when he ſhall give power to the Houſes to adjorne at their pleaſure, if then the Kings aſſent to thoſe Bils be an agreement for peace (as we hope it cannot in reaſon be denied) our advice and conſent ought to be had therein, before they be ſent to the King, and otherwiſe the Treaty is violated.

As we cannot agree to this way of ſending theſe foure Bils to his Majeſtie for his aſſent before any treaty upon the reſt of the Propoſitions, ſo we are extremely unſatisfied with the matter of theſe new Propoſitions lately communicated to us, for the reaſons expreſſed in our anſwer unto them, which we do herewith deliver unto your Lordſhips, to be preſented to both Houſes of Parliament, and we doe deſire that they would take the whole buſineſſe into their further conſideration, and that there may be a perſonall treaty with his Majeſtie here at London, upon ſuch Propoſitions as ſhall be agreed upon with advice and conſent of both Kingdomes, according to the Treaty.

*FINIS.*